

JOINT RESOLUTION

1 To continue the effectiveness of certain statutory provisions
2 notwithstanding the termination of World War II.

3 WHEREAS, The existing state of war with Japan is the last declared
4 state of war to which the United States is a party; and

5 WHEREAS, The termination of the existing war with Japan and the
6 termination thereby of the national emergencies proclaimed in 1939
7 and 1941 would render certain laws now in effect inoperative; and

8 WHEREAS, Such laws are needed to insure the national security of
9 the United States, to provide for the common defense and to provide
10 for the adequate strength of the armed forces; and

11 WHEREAS, Such laws are needed to assure the capacity of the United
12 States to support the United Nations in its efforts to establish and
13 maintain world peace: Now, therefore, be it

14 Resolved by the Senate and House of Representatives of the United
15 States of America in Congress assembled, That notwithstanding any
16 termination of the national emergencies proclaimed by the President on
17 September 8, 1939 (Proc. 2352, 54 Stat. 2643) and on May 27, 1941
18 (Proc. 2487, 55 Stat. 1647), and notwithstanding any termination of
19 the war with Japan declared December 8, 1941 (55 Stat. 795), and
20 notwithstanding any proclamation of peace with respect to such war:

21 (1) The following laws and parts of laws shall remain in full
22 force and effect during the continuance of the national emergency
23 proclaimed by the President on December 16, 1950 (Proc. 2914, 15
24 F.R. 9029), or until such earlier date as the Congress by concurrent
25 resolution or the President by proclamation may provide, any other
26 terminal date or provision of law with respect thereto to the contrary
27 notwithstanding:

1 (2) The following laws and parts of laws which are normally operative
2 in time of peace shall continue to be inoperative during the continuance
3 of the national emergency proclaimed by the President on December 16, 1950
4 (Proc. 2914, 15 F. R. 9029), or until such earlier date as the Congress
5 by concurrent resolution or the President by proclamation may provide,
6 any other provision of law with respect thereto to the contrary, not-
7 withstanding;

8 (c) Those portions of section 37 of the Act of June 3, 1916, ch. 134,
9 39 Stat. 169, as amended, (10 U.S.C. 353) which restrict the appointment
10 of reserve officers in time of peace.

11 (d) The second sentence of section 40b of the Act of June 3, 1916, as
12 added by section 33 of the Act of June 4, 1920, ch. 227, 41 Stat. 777,
13 as amended, (10 U.S.C. 386).

14 (e) Act of August 4, 1942, ch. 547, section 10, 66 Stat. 738, (34 U.S.C.
15 8501).

16 (3) All appointments in effect on the date of the enactment of
17 this Act as officers and warrant officers of the Army of the United States
18 and as officers and warrant officers of the Air Force of the United States,
19 including appointments as reserve officers and warrant officers of the
20 Army and Air Force and as officers and warrant officers of the National
21 Guard of the United States and of the Air National Guard of the United
22 States, are hereby continued in full force and effect until such time
23 as such appointments may be terminated by competent authority, the pro-
24 visions of sections 37, 38, and 127a of the Act of June 3, 1916, ch. 134,
25 39 Stat. 166, as amended, (10 U.S.C. 358, 32 U.S.C. 19, 10 U.S.C. 513);
26 Section 3 of the Act of August 21, 1941, ch. 384, 55 Stat. 652, as amended
27 (10 U.S.C. 591a); and Section 515(e) of the Act of August 7, 1947, ch. 512,
28 61 Stat. 907 (10 U.S.C. 506d(e)), to the contrary notwithstanding.

2

1 (4) For the purpose of section 1 of the Act of May 29, 1945,
 2 ch. 135, 59 Stat, 225, as amended, (31 USC 222c), and for the
 3 purpose of section 200f of the Act of December 28, 1945, ch. 597, 59
 4 Stat. 662, (31 USC 222c), the date of the termination of World War II
 5 and the establishment of peace at the conclusion of World War II
 6 shall be the date which the President shall prescribe for those purposes,
 7 notwithstanding any other termination of World War II and notwithstanding
 8 any other declaration of peace.

9 (5) For the purpose of Section 1 of the Act of July 3, 1943,
 10 ch. 189, 57 Stat. 372, as amended (31 USC 223b), and for the
 11 purpose of section 1 of the Act of December 28, 1945, ch. 597, 59
 12 Stat. 662 (31 USC 223d), the date of the termination of World War II
 13 and the establishment of peace at the conclusion of World War II shall with
 14 respect to accidents or incidents occurring after June 23, 1950, be the date
 15 which the President shall prescribe for those purposes, notwithstanding any
 16 other termination of World War II and notwithstanding any other declaration
 17 of peace.

18 SEC. 2. It is the intent of the Congress that the termination
 19 of the existing war with Japan (and the termination of the national
 20 emergencies proclaimed by the President in 1939 and 1941) shall
 21 have no effect upon, nor in any way terminate or restrict the
 22 authority of any officer or agency of the United States to exercise
 23 any war or emergency power conferred by, any law or part of law
 24 enumerated in Section 1 of this Act. ~~Therefore,~~ During the continuance
 25 of the national emergency proclaimed by the President on December 16,
 26 1950, or until such earlier date as the Congress by concurrent resolu-
 27 tion or the President by proclamation may provide, the laws and parts
 28 of laws enumerated in ~~Section 1~~ of this Act shall be construed to give
 29 effect to the expressed intent of the Congress in accord with the
 30 following:

1. (1) Words of technical meaning relating to war or the prosecution
2 of war, including but not restricted to, "war risk", "war", "enemy
3 action", and "capture", shall be deemed to including within their meaning
4 any hostile action by a foreign government or faction thereof directed
5 against the United States or its nationals, and any armed conflict in
6 which the United States is engaged; and

7 (2) Words of technical meaning such as "belligerent", "neutral",
8 "enemy", "ally" and "associate nation", shall be deemed to include
9 within their meaning, respectively, governments engaged in an armed
10 conflict, governments not engaged in an armed conflict at a time when
11 other governments are so engaged, governments actively hostile to
12 the United States, and governments allied or associated with the
13 United States in armed conflict or in mutual defense activities; and

14 (3) ~~Criminal provisions, including those pertaining to the~~
15 ~~commission of offenses in time of war and penalties for the commission~~
16 ~~of offenses in time of war, of all laws and parts of law enumerated in~~
17 ~~Section 1 of this act shall remain in full force and effect during the~~
18 ~~continuance of the national emergency proclaimed by the President on~~
19 ~~December 16, 1950, or until such earlier date as the Congress by con-~~
20 ~~current resolution or the President by proclamation may provide.~~



ILLEGIB